

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES**

In Re: Helen Barbara Guzzino, L.P.N.

Petition No. 960620-011-019

**CONSENT ORDER**

WHEREAS, Helen Barbara Guzzino (hereinafter "respondent") of Celina, Texas has been issued license number 015005 to practice as a nurse by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, in or about February of 1995, the State of Texas Board of Vocational Nurse Examiners (hereinafter "the Texas Board") and respondent, entered a Consent Order (hereinafter "the Texas Order") (a certified copy of which is attached hereto marked as Attachment "A" and incorporated herein by this reference) imposing professional discipline against respondent's Texas nursing license. In the Texas Order, the Texas Board alleges that on or about February 15, 1995, while employed as a vocational nurse at Celina Care Center in Celina, Texas (hereinafter "the facility"), respondent administered oxygen at 3 liters to resident J.G., contrary to the physician's order for oxygen at 1 liter. The Texas Board further alleged that, on or about the same date while working at the facility, respondent noted that resident J.G.'s color was dusky, and his skin was cool and diaphoretic; respondent also noted that she was unable to count the patient's pulse. Although respondent notified the patient's physician of her clinical finding, the Texas Board further alleged that respondent improperly failed to assess and evaluate the resident by taking his vital signs. Furthermore, the Texas Board alleged that respondent failed to dial 911, per emergency protocol for the facility. The discipline imposed by the Texas Board in the Texas Order consisted of the following:

1. A one year stayed suspension; and,
2. A one year concurrent probation with the following terms and conditions:
  - a. respondent shall notify the Texas Board of any change of employment, address, or telephone number;
  - b. respondent shall comply with Federal, State and local laws and all provisions of the Texas Vocational Nurse Act and Rules and Regulations of the Board;
  - c. respondent shall provide a copy of the Texas Order to all employers throughout the probationary period;
  - d. respondent shall cause all employers to submit satisfactory employer reports to the Texas Board;
  - e. respondent shall document to the Texas Board, any period of unemployment as a nurse; and,
  - f. respondent shall successfully complete preapproved nursing program course(s) encompassing legal aspects of nursing (to include charting and patient confidentiality).

Whereas, the allegations that formed the basis for the Texas Order, if true, constitute grounds for disciplinary action pursuant to §20-99(b) of the Connecticut General Statutes.

Whereas, the Texas Order constitutes grounds for disciplinary action pursuant to §§19a-17 and 20-99(b) of the Connecticut General Statutes.

Whereas, the Department has received a copy of the Texas Order of the Texas Board, and has instituted an investigation based solely upon the facts set forth in the Texas Order; and,

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the allegations set forth on the Texas Order at a hearing in front of the Connecticut Board of Examiners for Nursing (hereinafter "the Board"). Helen Barbara Guzzino does not admit having violated any Texas statute or regulation, but agrees that this Consent Order shall have the same effect as if ordered after a full hearing held pursuant to §§19a-10, and 20-99(b) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §20-99(a) of the General Statutes of Connecticut, Helen Barbara Guzzino hereby stipulates and agrees to the following:

1. That respondent waives her right to a hearing on the merits of this matter.
2. That respondent shall comply with all federal and state statutes and regulations applicable to her profession.
3. That in the event respondent fully complies with the terms and conditions of the disciplinary action ordered by the Texas Board, before beginning practice in Connecticut, her Connecticut license number 015005 is hereby placed on probation for six (6) months from the date she commences practicing in this State.
4. In the event respondent begins practice in Connecticut before she has fully complied with the terms of the disciplinary action ordered by the Texas Board, the term of his probation in Connecticut shall be six (6) months, plus the unexpired term of the Texas Order.
5. Respondent's Connecticut's probation shall be subject to the following terms and conditions:

- a. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation.
- b. Respondent shall not accept employment in Connecticut as a nurse for a personnel provider service, assisted living Services Agency, Homemaker - Home Health Aide Agency or home health care agency, and shall not be self-employed as a nurse for the period of her probation.
- c. Respondent shall be responsible for the provision of written reports directly to the Board and the Department from her nursing supervisor (i.e., Director of Nursing) for the entire length of her probation. Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Board and the Department at the address cited in paragraph 5G below.
- d. Within thirty days of respondent's commencement of practice in Connecticut, she shall provide proof to the satisfaction of the Board and the Department that she has successfully completed the coursework required by the Texas Order.
- e. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- f. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- g. All monthly reports required in paragraphs 5C are due on the tenth business day of every month commencing with the reports due within thirty days respondent commences practicing in this State.
- h. All correspondence and reports shall be addressed to:

Jeffrey Kardys  
Department of Public Health  
410 Capitol Avenue, MS #12LEG  
P.O. Box 340308  
Hartford, CT 06134-0308

6. The period of probation imposed by this Consent Order shall become effective on the date respondent begins practicing nursing in Connecticut.
7. Violation of any of the terms of the Texas Order shall be deemed a violation of this Consent Order.
8. Any violation of the terms of the Texas Order or this Consent Order without prior written approval by the Board shall constitute grounds for the Department to seek revocation of the respondent's nursing license following notice and an opportunity to be heard.
9. Any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Board's right to take action at a later time. The Board shall not be required to grant future extensions of time or grace periods.
10. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Bureau of Regulatory Services of the Department.
11. Respondent understands this Consent Order is a matter of public record.
12. The allegations as contained in the Texas Order shall be deemed true in any subsequent proceeding before the Board in which (1) her compliance with this same Consent Order is at issue, or (2) her compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue.

13. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as an licensed practical nurse, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that her failure to cooperate with the Department's investigation shall be considered by the Board and shall be given due weight by the Board in determining whether her conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
14. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Board.
15. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any other rights that she may have under the laws of the State of Connecticut or of the United States.

16. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. The Department and respondent understand that the Board has complete and final discretion as to whether an executed Consent Order is approved or accepted.
17. Respondent has had the opportunity to consult with an attorney prior to signing this document.

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I, Helen Barbara Guzzino, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Helen Barbara Guzzino L.P.N.  
Helen Barbara Guzzino, L.P.N.

Subscribed and sworn to before me this 23<sup>th</sup> day of April 1997.

Marcia Ann Waller  
Notary Public or person authorized  
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 6<sup>th</sup> day of May 1997, it is hereby accepted.

Stanley K. Peck  
Stanley K. Peck, Director  
Legal Office

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 17<sup>th</sup> day of May 1997, it is hereby ordered and accepted.

BY: Nancy L. DeFuria  
Connecticut Board of Examiners for Nursing



RECEIVED

JUN 14 1996

STATE OF CONN.  
DEPT. OF HEALTH SERVICES  
BOARD OF NURSING

BOARD OF VOCATIONAL NURSE EXAMINERS

STATE OF TEXAS

VS.

HELEN BARBARA GUZZINO

COUNTY OF TRAVIS

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Marjorie A. Bronk, R.N., who, being by me duly sworn, deposes as follows:

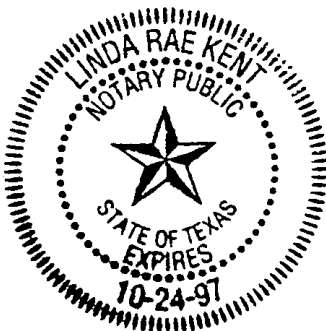
My name is Marjorie A. Bronk, R.N., I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of the Board of Vocational Nurse Examiners for the State of Texas. Attached hereto are 7 pages of records from the Board of Vocational Nurse Examiners. These said 7 pages of records is kept by the Board of Vocational Nurse Examiners in the regular course of business, and it was in the regular course of business of the Board of Vocational Nurse Examiners for an employee or representative of the Board of Vocational Nurse Examiners, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original.

Marjorie A. Bronk, R.N.  
Affiant

SWORN TO AND SUBSCRIBED before me on this the 7th day of June, 1996.

Linda Rae Kent  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



RECEIVED

JUN 14 1996

STATE OF CONN.  
DEPT. OF HEALTH SERVICES  
BOARD OF NURSING

BOARD OF VOCATIONAL NURSE EXAMINERS

STATE OF TEXAS

VS.

HELEN BARBARA GUZZINO

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 106653 held by HELEN BARBARA GUZZINO, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of Article 4528c, Section 10 (a) (9), Revised Civil Statutes of Texas, in the following manner:

I.

- a. Respondent was employed as a Licensed Vocational Nurse at Celina Care Center in Celina, Texas on or about February 15, 1995.
- b. While so employed, on said date, Respondent continued to administer oxygen at 3 Liters to resident J. G., contrary to physician's orders for oxygen 1 Liter.

AGREED BOARD ORDER

RE: HELEN BARBARA GUZZINO, LVN #106653

PAGE 2

c. While so employed, on said date, at about 9:45 p.m., Respondent noted that said resident's color was dusky, skin cool, diaphoretic, unable to count pulse. Although Respondent notified said resident's physician, Respondent failed to take said resident's vital signs, thereby failing to appropriately assess and evaluate said resident. Further, Respondent failed to call 911, per emergency protocol.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED that license number 106653, heretofore issued to HELEN BARBARA GUZZINO, to practice vocational nursing in the State of Texas be, and the same is hereby suspended, with said suspension stayed and placed on probation for a period of one (1) year.

AGREED BOARD ORDER

RE: HELEN BARBARA GUZZINO, LVN #106653

PAGE 3

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Vocational Nurse Act and Rules and Regulations of the Board.
3. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.
4. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
5. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. four (4).
6. That Respondent shall successfully complete nursing program course(s) encompassing the following areas of study: Legal Aspects of Nursing (to include Charting, & Patient Confidentiality), and submit documentation of successful course completion to the Board office prior to the end of probation. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to committing to said course(s). Said course(s) shall be correspondence (through a recognized provider), in-house at a community college, university or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent. Failure to successfully complete said course(s) within the time-frame stipulated, shall be considered a violation of probation.

AGREED BOARD ORDER

RE: HELEN BARBARA GUZZINO, LVN #106653

PAGE 4

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Dated this the 21<sup>st</sup> day of Feb., 1996.

Helen Guzzino  
Signature of Respondent

9641 County Lane  
Current Address

Covina Texas 75009  
City, State and Zip

214 382 3605  
Area Code and Telephone Number

The State of Texas  
County of Collin

Before me, the undersigned authority, on this day personally appeared HELEN BARBARA GUZZINO, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 21<sup>st</sup> day of February, 1996.

A. Leonard White  
NOTARY PUBLIC IN AND FOR A. Leonard White  
THE STATE OF TEXAS  
My Commission Expires 6/97

Marjorie A. Bronk  
Marjorie A. Bronk, R.N.  
Agent for the Board of  
Vocational Nurse Examiners

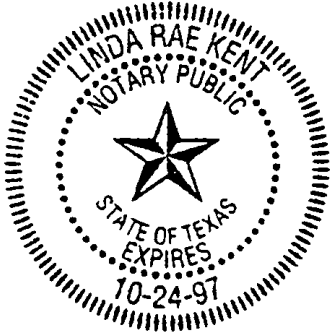
AGREED BOARD ORDER

RE: HELEN BARBARA GUZZINO, LVN #106653

PAGE 5

SWORN TO AND SUBSCRIBED, before me, the undersigned authority, on this the 29th  
day of February, 1996.

Linda Rae Kent  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



AGREED BOARD ORDER

RE: HELEN BARBARA GUZZINO, LVN #106653

PAGE 6

ENDORSEMENT OF THE BOARD  
To The Agreed Board Order  
in the matter of Vocational Nurse  
License No. 106653  
Issued to Helen Barbara Guzzino

At its regularly called session, on the 12th day of March, 1996, came on to be considered the indicated Agreed Board Order pertaining to Helen Barbara Guzzino. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered on this the 12th day of March, 1996.

*Lillian K Brown LVN*  
*Janet Wood - King LVN*  
*Kathleen A. Dwyer LVN*  
*Oral McRobinson*  
*William Green*  
*Betty E. Sims*  
*Robert Perkins*  
*Lucie Cheryman*

*Yinger Brewster*  
*Melba Lee - Hays*



BOARD ORDER

RE: HELEN BARBARA GUZZINO, LVN #106653

PAGE: 7

CERTIFICATE OF SERVICE

I hereby certify that on the 12<sup>th</sup> day of March, 1996.

a true and correct copy of the foregoing Order was served by placement in the  
U.S. Mail, first class, and addressed to the following person(s):

HELEN BARBARA GUZZINO  
9641 COUNTY LANE  
CELINA, TX 75009

Marjorie A. Bronk, RN  
Marjorie A. Bronk, RN  
Executive Director  
Agent for the Board of Vocational Nurse Examiners